

Paper No. 1691.
Disposes of
Paper No. 1667

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST
SITTING AT TOKYO, JAPAN

Case No. 1

THE UNITED STATES OF AMERICA, et al

- vs -

ARAKI, Sadao, et al

) ORDER
) GRANTING APPLICATION
) TO WITHDRAW EXHIBITS
) NOS. 2447 AND 2473
) FOR IDENTIFICATION ONLY
) AND DENYING APPLICATION
) TO WITHDRAW EXHIBIT
) NO. 2446 FROM THE
) FILES OF THE TRIBUNAL

This matter coming on to be heard this 15th day of April, 1948, before the Honorable Sir William Webb, President of the Tribunal, upon the application of Ben Bruce Blakeney, one of counsel for the Defense in the above entitled cause, for leave to withdraw from the files of the Tribunal certain documents, to wit: Exhibits No. 2447 for Identification Only, No. 2473 for Identification Only, and No. 2446, for the purpose of returning them to the source from which they were obtained, Exhibit No. 2473 having been borrowed by Defense counsel from a private owner, and Exhibits Nos. 2446 and 2447 having been borrowed from the Japanese Foreign Office, and the Tribunal having heard the statements and arguments of counsel for the Defense in support of said application, and of the Prosecution in opposition thereto, and

It appearing that said Exhibits Nos. 2447 and 2473 were offered and marked for Identification Only, and that said Exhibit No. 2446 was offered, admitted and is in evidence; and

It further appearing that said Exhibits Nos. 2447 and 2473 for Identification Only have served their purpose and no

substantial injustice will result to either the Prosecution, the Accused, or any of them, by the withdrawal of said two documents and the return thereof to the sources from which they were obtained; and

It further appearing that excerpts from said Exhibits Nos. 2447 and 2473 for Identification Only were offered and admitted in evidence as Exhibits Nos. 2447-A and 2473-A, it is

ORDERED: That said application for the withdrawal of Exhibits Nos. 2447 and 2473 for Identification Only be and it hereby is granted and that said Exhibits Nos. 2447 and 2473 for Identification Only be withdrawn from the files of the Tribunal forthwith and delivered by the Clerk of the Tribunal to Ben Bruce Blakeney, to be returned by him to the sources from which they were obtained, upon the express term and condition, however, that they be returned to the Clerk of the Tribunal immediately upon notice being given that they are required by the Tribunal, the Prosecution or the Defense for the purposes of this trial; and it is further

ORDERED: That said application for the withdrawal from the files of the Tribunal of Exhibit No. 2446 be and it hereby is denied; and it is further

ORDERED: That Exhibits Nos. 2447-A and 2473-A which have been admitted and are in evidence in this case shall remain in the files of the Tribunal and their status shall in no way be affected by this order.

BY THE TRIBUNAL:

(signed) W. F. Webb
PRESIDENT